IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 13662 of 2004

Between:

P. Sarangapani, S/o. Somaraiah,
Girinajipet, Warangal,

R/o. Warangal District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Warangal Region,
Warangal District.
2 The Depot Manager, APSRTC, Hanumkonda Depot,
Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not promoting the petitioner to the post of Assistant Depot Clerk as illegal, arbitrary and unjust and consequently direct the Respondents to promote the Petitioner to the post of Assistant Depot Clerk by taking his seniority from the period from the date of appointment as Booking Clerk.

Counsel for the Petitioner:MR.G.RAVI MOHAN

Counsel for the Respondent Nos.1 and 2: SMT.P.RAJANI REDDY

The Court at the admission stage made the following Order:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondents in not promoting the petitioner to the post of Assistant Depot Clerk as illegal and arbitrary and consequently to direct the respondents to promote the petitioner to the post of Assistant Depot Clerk by taking his seniority from the date of his appointment as Booking Clerk**.**

Learned counsel for the petitioner contended that the matter is squarely covered by the judgment of this Court in W.P.No.2891 of 1988, dated 26.10.1997 and therefore, petitioner is entitled for promotion to the post of Assistant Depot Clerk.

On the other hand, learned standing counsel appearing for the respondent-Corporation contended that if the rules and regulations permit the seniority of Booking Clerks to be counted for the purpose of promotion to the post of Assistant Depot Clerk, the same shall be considered by the respondents.

The facts of the case are not in dispute. Certain instructions have been issued for promotion to the post of Assistant Depot Clerk. The length of service as a Booking Clerk can be counted for the purpose of promotion to the post of Assistant

Depot Clerk. Therefore, these aspects are required to be gone into by the respondent-Corporation in accordance with the rules and regulations and circular instructions, if any, issued with regard to promotion to the post of Assistant Depot Clerk.

Accordingly, the writ petition is disposed of directing the respondents to consider the case of the petitioner to the post of Assistant Depot Clerk duly taking the period of appointment as a Booking Clerk, in accordance with the rules and regulations, within a period of six weeks from the date of receipt of a copy of this order. No costs.

17.01.2005

usd

To

1 The Regional Manager, APSRTC, Warangal Region,
Warangal District.
2 The Depot Manager, APSRTC, Hanumkonda Depot,
Warangal District.

3. Two CD copies.